



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

400 Seventh Street, S.W.  
Washington, D.C. 20590

**FEB 15 2005**

DOT-E 12562  
(SECOND REVISION)

EXPIRATION DATE: January 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: TaeYang Industrial Company, Ltd.  
Cheonan-City, South Korea  
(U.S. Agent: Athena International, Inc.  
Gardnerville, Nevada)
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the manufacture, marking, sale and use of a non-DOT specification nonrefillable inside container conforming with all regulations applicable to a DOT Specification 2P inner non-refillable metal receptacle, except for size, testing requirements and marking as specified herein, for the transportation in commerce of the materials authorized by this exemption. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171 - 180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.304a(d)(3)(ii) in that a non-DOT specification packaging is not authorized except as specified herein and the maximum charging pressure is exceeded.

FEB 15 2005

5. BASIS: This exemption is based on the application of Tae Yang Industrial Co. Ltd., dated February 4, 2005, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Petroleum gases, liquefied, or Liquefied petroleum gas	2.1	UN1075	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification, non-refillable inside container having a water capacity not exceeding 28.88 cubic inches (0.47L), conforming to Tae Yang Industrial Company, Ltd. drawings on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and meeting all the requirements specified in §§ 173.304a(d)(3)(ii) and 178.33 except as follows:

§ 178.33-2 Type and size.

(1) \* \* \*

(b) \* \* \* The maximum inside diameter may not exceed 4.1028 inches (105.2 mm).

§ 178.33-7 Wall thickness.

(a) The minimum wall thickness of the body must be 0.0117 inches (0.30 mm) with a corresponding minimum bottom thickness of 0.0195 inches (0.50 mm).

§ 178.33-8 Tests.

(a) Each 2,500 containers or less successively produced in a day must constitute a lot. These containers must be complete with ends assembled, of the same material, size, design, construction and finish.

(b) Five containers out of each lot of 2,500 containers or less successively produced must be

FEB 15 2005

pressure tested to determine the burst pressure. The containers must be complete with ends assembled. The minimum burst pressure may not be less than 250 psig.

(c) If any of the test containers in a lot fail the pressure test, that lot must be rejected, or ten additional containers selected at random from the lot may be subjected to the pressure test. Should any of the ten test containers fail the test the entire lot must be rejected.

(d) Each completed container filled for shipment must have been heated until the pressure in the container is equivalent to the equilibrium pressure of the contents at 130°F without evidence of leakage, distortion, or other defect.

(e) The containers authorized by this exemption must be packaged in outside packagings conforming to § 173.301 (a)(9).

§ 178.33-9 Marking.

(a) \* \* \*

(1) Each container must be marked "DOT E-12562" instead of "DOT-2P".

(b) \* \* \*

b. OPERATIONAL CONTROLS - Each container must be filled and tested in accordance with § 173.304a(d)(3)(ii) except that the maximum charge pressure may not exceed 51 psig at 70°F, and the pressure at 130°F may not exceed 138 psig.

8. SPECIAL PROVISIONS.

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

FEB 15 2005

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each outside packaging must be marked "INSIDE CONTAINERS CONFORM WITH DOT-E 12562".

e. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

f. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

g. Transportation of Division 2.1 materials (flammable gases) are not authorized aboard cargo vessel unless specifically authorized in the Hazardous Materials Table (§ 172.201).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

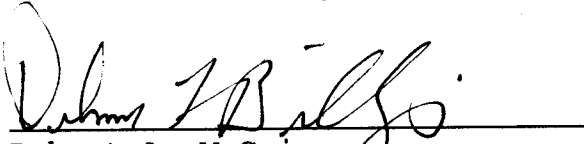
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in

addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

**FEB 15 2005**

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: SSTANISZEWSKI/dl